

Message Text

CONFIDENTIAL

PAGE 01 STATE 217964
ORIGIN L-03

INFO OCT-01 ISO-00 /004 R

66011

DRAFTED BY: L/N:RJBETTAUER

APPROVED BY: L/N:RJBETTAUER

-----127649 281929Z /42

R 281659Z AUG 78

FM SECSTATE WASHDC

INFO RUEHBAC/AMEMBASSY CANBERRA 8504

AMEMBASSY OTTAWA

C O N F I D E N T I A L STATE 217964

FOLLOWING REPEAT THE HAGUE 4664, ACTION SECSTATE INFO BRUSSELS
BONN LONDON PARIS VIENNA 22 AUG:

QUOTE C O N F I D E N T I A L THE HAGUE 4664

VIENNA FOR USIAEA, BRUSSELS ALSO FOR USEEC

E.O. 11652: GDS

TAGS: MNUC PARM ENRG NL

SUBJECT: CONVENTION ON PHYSICAL PROTECTION OF NUCLEAR MATERIALS

REF: STATE 203582

1. WE DISCUSSED THE POINTS IN REFTEL REGARDING THE
DOMESTIC APPLICATION OF A CONVENTION ON PHYSICAL PRO-
TECTION OF NUCLEAR MATERIALS AND THE PROVISIONS OF SUCH A
CONVENTION REGARDING MILITARY PURPOSE NUCLEAR MATERIAL
WITH BRANDS OF THE MFA SCIENTIFIC COOPERATION OFFICE
AND BLOEMBERGER OF THE MFA LEGAL ADVISORS OFFICE. THEY SAID
THE NETHERLANDS POSITION IS STILL OPEN REGARDING THE
SEPTEMBER 4-8 MEETING, AND A DISCUSSION IS SCHEDULED FOR
AUGUST 29 TO DETERMINE THE FINAL INSTRUCTIONS TO THE
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 217964

DUTCH DELEGATION. THEY NOTED THAT THE AUSTRALIAN
EMBASSY HAD MADE A DEMARCHE SIMILAR TO OURS LAST WEEK.

2. IN GENERAL, THE NETHERLANDS AGREES THAT INTERNATIONAL
TRANSPORT OF NUCLEAR MATERIAL IS A VERY IMPORTANT ISSUE
AND THAT AGREEMENT SHOULD BE REACHED ON THAT SUBJECT
EVEN IF CONSENSUS IS NOT POSSIBLE ON OTHER POINTS.

HOWEVER, IF ARTICLE 3 ON DOMESTIC APPLICATION IS DROPPED, SEVERAL QUESTIONS ARISE REGARDING THE EFFECT OF ITS DELETION ON THE REST OF THE CONVENTION. FOR EXAMPLE, IF ARTICLE 3 IS DROPPED, WILL THE SCOPE OF CRIMINAL PROVISIONS BE LIMITED TO CRIMES PERPETRATED ONLY DURING TRANSPORT? THE GON WOULD FAVOR AS TOTAL COVERAGE AS POSSIBLE IN THE CRIMINAL PROVISIONS AND FEARS THAT ELIMINATING ARTICLE 3 WOULD STRENGTHEN THE HAND OF THOSE WHO ADVOCATE A NARROW SCOPE FOR THE CONVENTION.

3. THE NETHERLANDS ALSO AGREES IN GENERAL WITH THE US POSITION ON THE COVERAGE OF MILITARY PURPOSE NUCLEAR MATERIAL BUT SEES SOME DIFFICULT QUESTIONS REGARDING DEFINITION, E.G., WHEN WOULD PROVISIONS OF THE CONVENTION CEASE TO APPLY TO A SHIPMENT BECAUSE IT IS A MILITARY TRANSPORT AND THEREFORE OUTSIDE THE SCOPE OF THE CONVENTION IF ARTICLE 2 IS ELIMINATED?

3. BRANDS AND BLOEMBERGER ASKED TO BE FURNISHED WITH THE ANSWERS TO THE FOLLOWING SPECIFIC QUESTIONS IF POSSIBLE PRIOR TO THEIR AUGUST 29 MEETING TO ASSIST THEM IN THE FORMULATION OF THE FINAL DUTCH POSITION: IF ARTICLE 3 IS DROPPED, COULD THE US DELEGATION AGREE THAT THE CRIMINAL PROVISIONS OF THE CONVENTION WOULD REMAIN UNCHANGED? IF ARTICLE 2 IS DROPPED, HOW WOULD THE US PROPOSE TO
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 217964

DEFINE MILITARY PURPOSE NUCLEAR MATERIAL IN ORDER TO COVER MILITARY TRANSPORT IN A WAY THAT WOULD BE SATISFACTORY TO US INTERESTS? JOSEPH UNQUOTE. CHRISTOPHER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, PHYSICAL SECURITY, GOVERNMENT REACTIONS, NUCLEAR WEAPONS, FISSIONABLE MATERIALS TRANSFER
Control Number: n/a
Copy: SINGLE
Draft Date: 28 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE217964
Document Source: CORE
Document Unique ID: 00
Drafter: L/N:RJBETTAUER
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780351-0567
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780817/aaaaanti.tel
Line Count: 97
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 6925635a-c288-dd11-92da-001cc4696bcc
Office: ORIGIN L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 STATE 203582
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 28 apr 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1600307
Secure: OPEN
Status: NATIVE
Subject: CONVENTION ON PHYSICAL PROTECTION OF NUCLEAR MATERIALS
TAGS: MNUC, PARM, ENRG, NL
To: CANBERRA OTTAWA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/6925635a-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014